

CYPRUS

**MAINTENANCE ORDERS
(FACILITIES FOR ENFORCEMENT)**

CHAPTER 16 OF THE LAWS

1959 EDITION

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1959

CHAPTER 16

MAINTENANCE ORDERS (ENFORCEMENT).

ARRANGEMENT OF SECTIONS.

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TO FACILITATE THE ENFORCEMENT IN CYPRUS OF MAINTENANCE ORDERS MADE IN ENGLAND OR IRELAND AND VICE VERSA.

[27th May, 1921.] 1949 Cap. 22.

1. This Law may be cited as the Maintenance Orders (Facilities for Enforcement) Law. Short title.

2. In this Law—

Interpretation.

“certified copy” in relation to an order of a Court means a copy of the order certified by the proper officer of the Court to be a true copy;

“dependants” means such persons as that person is liable to maintain under the law in force in England, Ireland or Cyprus, as the case may be, according as the maintenance order was made in England, Ireland or Cyprus;

“maintenance order” means an order other than an order of affiliation for the periodical payment of sums of money towards the maintenance of the wife or other dependants of the person against whom the order is made;

“prescribed” means prescribed by Rules of Court.

Enforcement
in Cyprus of
maintenance
orders made
in England
or Ireland.
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3. (1) Where a maintenance order has, whether before or after the passing of this Law, has been made against any person by any Court in England or Ireland, and a certified copy of the order has been transmitted by the Secretary of State to the Governor, the Governor shall send a copy of the order to the prescribed officer of a Court in Cyprus for registration; and on receipt thereof the order shall be registered in the prescribed manner, and shall, from the date of such registration, be of the same force and effect, and, subject to the provisions of this Law, all proceedings may be taken on such order as if it had been an order originally obtained in the Court in which it is so registered, and that Court shall have power to enforce the order accordingly.

(2) The Court in which an order is to be so registered as aforesaid shall be a District Court.

Transmission
of mainten-
ance orders
made in
Cyprus.

4. Where a Court in Cyprus has, whether before or after the commencement of this Law, made a maintenance order against any person, and it is proved to that Court that the person against whom the order was made is resident in England or Ireland, the Court shall send to the Governor for transmission to the Secretary of State a certified copy of the order.

Power to
make pro-
visional
orders of
maintenance
against
person
resident in
England or
Ireland.

5. (1) Where an application is made to a Court in Cyprus for a maintenance order against any person, and it is proved that that person is resident in England or Ireland, the Court may, in the absence of that person if after hearing the evidence it is satisfied of the justice of the application, make any such order as it might have made if a summons had been duly served on that person and he had failed to appear at the hearing, but in such case the order shall be provisional only, and shall have no effect unless and until confirmed by a competent Court in England or Ireland.

(2) The evidence of any witness who is examined on any such application shall be put into writing, and such deposition shall be read over to and signed by him.

(3) Where such an order is made, the Court shall send to the Governor for transmission to the Secretary of State, depositions so taken, and a certified copy of the order, together with a statement of the grounds on which the making of the order might have been opposed if the person against whom the order is made had been duly served with